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COMMISSION

[For a list of counsel and parties represented,
see the signature page.]

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

Dec 6 10 11 AM '00
FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEDERAL ELECTION COMMISSION,

Plaintiff,

v.

FRIENDS FOR FASI, et al.,

Defendants.

JAN 19 2001
at 4 o'clock and 15 min. M.
WALTER A. Y. H. CHINN, CLERK

No. CV00-00024 DAE-FIY

Consent Order and Judgment

CONSENT ORDER AND JUDGMENT

This action for declaratory, injunctive and other appropriate relief was instituted by the plaintiff Federal Election Commission ("Commission" or "FEC") against defendants Friends for Fasi and Frank F. Fasi, pursuant to the express authority granted the Commission by sections 307(a)(6) and 309(a)(6)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act" or "FECA"), codified at 2 U.S.C. 437d(a)(6) and 437g(a)(6)(A).

This Court has original jurisdiction over this suit pursuant to 28 U.S.C. 1345 as an action brought by an agency of the United States expressly authorized to sue by an Act of Congress. Venue is properly found in the United States District Court for the District of Hawaii in accord with 2 U.S.C. 437g(a)(6)(A) as both defendants can be found, reside or transact business in this district. The plaintiff Commission has satisfied all jurisdictional requirements which are prerequisites to filing this suit.

The parties agree that the pertinent facts in this matter are as follows:

21.04.402.5186

- 21-04-402-5187
1. Frank F. Fasi was a candidate for Mayor of Honolulu in 1996.
 2. Friends for Fasi was and is the campaign committee for Frank F. Fasi.
 3. The Federal Election Campaign Act of 1971 prohibits a foreign national directly or through any other person from making any contribution of money or other thing of value in connection with an election to any political office. 2 U.S.C. 441e.
 4. The Act also prohibits any person from soliciting, accepting or receiving any such contribution or other thing of value from any foreign national, in connection with any election to any political office, including state or local office. 2 U.S.C. 441e; 11 C.F.R. 110.4(a).
 5. Longevity International Enterprises Corporation ("Longevity") was and is a Hawaii corporation incorporated on April 17, 1995. Prior to that date, Longevity was a California corporation incorporated on February 21, 1979. At all relevant times, Longevity International was owned, managed and/or controlled by foreign nationals.
 6. Longevity has been the titled owner of the Chinese Cultural Plaza Shopping Center ("Cultural Plaza") in Honolulu, Hawaii since 1979.
 7. From 1981 until 1996, defendants Fasi and/or Friends for Fasi rented space at the Cultural Plaza. The Fasi campaign utilized the space at the Cultural Plaza during Fasi's 1996 mayoral campaign. Mr. Fasi gave notice to vacate the space on or about October 1, 1996, and the space was vacated in November 1996. From at least January 1990 until November 1996, the monthly rental payments to Longevity were paid entirely by Friends for Fasi.

In order to settle this matter without further litigation, the parties now agree to entry of this Court's judgment and consent to the issuance of this consent order and judgment, as evidenced by the signatures affixed hereto.

Therefore, it is **ORDERED, ADJUDGED AND DECREED** that:

A. Friends for Fasi violated 2 U.S.C. 441e by accepting and/or receiving something of value from foreign nationals, in the form of reduced rental costs for space at the Cultural Plaza, each month from January 1995 until November 1996;

B. At or before the date of entry of this consent order and judgment, defendant Friends for Fasi shall pay a civil penalty of Fifteen Thousand Dollars (\$15,000) to the Federal Election Commission pursuant to 2 U.S.C. 437g(a)(6)(B); and

C. Defendant Friends for Fasi, and its officers, agents, servants, employees, privies, successors, assigns and attorneys, including Frank F. Fasi, and those persons in active concert or participation with Friends for Fasi who receive actual notice of this consent order and judgment, are permanently enjoined from violating 2 U.S.C. 441e by accepting or receiving something of value from a foreign national at less than market value in connection with an election for public office.

JAN 19 2001

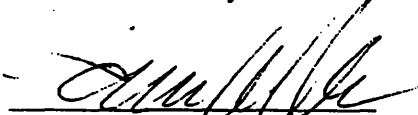
Date

DAVID ALAN EZRA

DAVID A. EZRA

United States District Judge

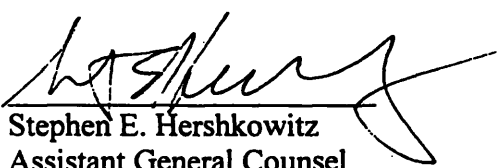
We hereby consent to the entry of the foregoing consent order and judgment.


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December __, 2000


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FRIENDS FOR FASI AND

FRANK F. FASI

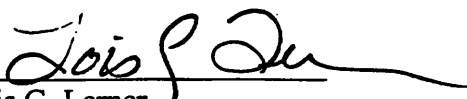
December 1, 2000

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I hereby consent to the entry of the foregoing consent order and judgment.


Lois G. Lerner
Acting General Counsel

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January 16, 2001

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21-04-402-5190